

REMARKS

In the Office Action, Claims at least 1, 6, 7, and 12 have been rejected on the ground of nonstatutory obviousness-type double patenting over at least claims 51, 54, 56, and 60 or copending Application Serial No. 11/325,223.

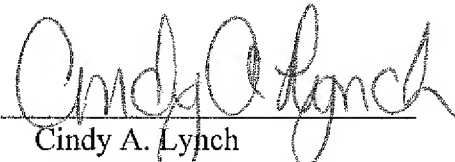
Applicants would first like to explain that the Examiner's current practice of rejecting claims by stating "at least" certain claims is highly improper. The Examiner is attempting to reject claims other than those claims specifically mentioned in a way that makes it impossible for Applicants to respond to the rejection. This rejection is equally improper as if the Examiner stated "some" of the claims have been rejected. Since Applicants can not determine which claims may be rejected beyond the four claims mention, this rejection will be treated as if only Claims 1, 6, 7, and 12 have been rejected.

The rejection of Claims 1, 6, 7, and 12 is a provisional nonstatutory obviousness-type double patenting rejection which is the only rejection remaining in the application. In addition, the provisional double patenting rejection is based on an application with a filing date later than the present application. Accordingly, the Examiner should withdraw the double patenting rejection because this is the first-filed application and, if appropriate, make a double patenting rejection in the later-filed application. See MPEP 804(I).

Conclusion

Applicant respectfully submits that the present patent application is in condition for allowance. An early indication of the allowability of this patent application is therefore respectfully solicited. If the Examiner believes that a telephone conference with the undersigned would expedite passage of this patent application to issue, he is invited to call on the number below. It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. If, however, additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and the Commissioner is hereby authorized to charge fees necessitated by this paper, and to credit all refunds and overpayments, to our Deposit Account 50-3100.

Respectfully submitted,

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